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8 X02896/423332

9 Attorneys for Defendants  
10 CITY OF OAKLAND and  
11 WAYNE TUCKER

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13                          **UNITED STATES DISTRICT COURT**  
14                          **NORTHERN DISTRICT OF CALIFORNIA**

15 MELISSA COOK, individually and as  
16 guardian for SHAMON COOK, a minor and  
17 KYA COOK, a minor; and GERALD  
18 COOK,

19 Case No. C 06-4337 MJJ

20                          **STIPULATION OF DISMISSAL**

21                          Plaintiffs,

22                          vs.

23 FRANK MORROW, individually and in his  
24 capacity as a police officer; WAYNE  
25 TUCKER, Chief, Oakland Police  
Department, CITY OF OAKLAND; and  
DOES 1-30,

26                          Defendants.  
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29 IT IS HEREBY STIPULATED by and between the parties to this action through  
30 their designated counsel that the CITY OF OAKLAND and WAYNE TUCKER be and  
31 hereby are dismissed with prejudice pursuant to FRCP 41(a) (1). Each party to bear its  
32 own fees and costs as they pertain to these defendants.

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## LAW OFFICES OF MATTHEW KUMIN

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3 Dated: 11-7-07

4 By: 

5 Attorneys for Plaintiffs

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7 Dated:

8 JOHN A. RUSSO, City Attorney  
RANDOLPH W. HALL, Assistant City Attorney  
WILLIAM E. SIMMONS, Supervising Trial Attorney  
STEPHEN Q. ROWELL, Deputy City Attorney

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By: 

12 Attorneys for CITY OF OAKLAND and WAYNE TUCKER

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**IT IS SO ORDERED.**

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LAW OFFICES OF MATTHEW KUMIN  
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Dated: By: \_\_\_\_\_  
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26Dated: JOHN A. RUSSO, City Attorney  
RANDOLPH W. HALL, Assistant City Attorney  
WILLIAM E. SIMMONS, Supervising Trial Attorney  
STEPHEN Q. ROWELL, Deputy City AttorneyBy: \_\_\_\_\_  
Attorneys for CITY OF OAKLAND and WAYNE TUCKER

Dated: 11/7/07 WILSON, ELSER MOSKOWITZ, EDELMAN &amp; DICKER, LLP

By:   
Attorneys for FRANK MORROW**IT IS SO ORDERED.**Dated: \_\_\_\_\_  
HON. MARTIN J. JENKINS  
Judge, United States District Court